

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**HELENA DIVISION**

BRIAN JOHN TEMPLE,

Plaintiff,

vs.

PETER JOSEPH CALLAHAN; CITY  
OF HELENA; and ST. PETER'S  
HOSPITAL,

Defendants.

No. CV 15-46-H-SEH

**ORDER**

Pending before the Court is Defendant Peter Joseph Callahan's Motion for Relief Pursuant to L.R. 16.4(a).<sup>1</sup> Defendant City of Helena joined in the motion.<sup>2</sup>

The motion recites *inter alia*:

Plaintiff Temple has completely failed to participate and/or cooperate in the preparation of the Final Pretrial Order and associated required filings. Temple did not convene a conference of all counsel to discuss the preparation of the proposed Final Pretrial Order. Nor has he responded to a communication from Co-Defendant

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<sup>1</sup> Doc. 81.

<sup>2</sup> Doc. 83.

City of Helena regarding preparation of the Final Pretrial Order.<sup>3</sup>


Plaintiff has not responded to the motion.

The date for filing of the pretrial order was established with the concurrence of the parties. Plaintiff and his counsel are and remain obliged to fully comply with the pretrial order filing deadline. Failure or refusal to comply with the Court's order without valid justification or excuse cannot and will not be condoned.

ORDERED:

The deadline for filing the pretrial order compiled and submitted in full compliance with L.R. 16.4 remains in full force and effect. Plaintiff and his counsel remain expected by the Court and are again ordered to fully comply with all requirements for submission of the pretrial order compiled in full compliance with L.R. 16.4 on or before October 7, 2016.

DATED this 5<sup>th</sup> day of October, 2016.

  
SAMI E. HADDON  
United States District Judge

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<sup>3</sup> Doc. 81 at 1-2.